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TITLE: RETAIL SNACK FOOD PACKAGE WITH DIP IN THE BAG

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TRANSMITTAL LETTER

Enclosed please find patent application for the above referenced invention, 1 sheet(s) of drawings, 7 pages of specs and claims, Pat. Declaration, small entity declaration, and filing fee of \$380.

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**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) & 1.27(b))-INDEPENDENT INVENTOR**

As below named inventor I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention

entitled: RETAIL SNACK FOOD PACKAGE WITH DIP IN THE BAG

described in:

(X) the specification filed here.

I have not assigned, granted, conveyed, or licensed and am under no obligation under contract or law to assign, grant, convey, or license any rights to the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person made the invention or to my concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(a).

I acknowledge the duty to file in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying or at the time of paying the earliest of the issue fee or any maintenance fee due after the date in which status as a small entity is no longer appropriate (37 CFR 1.28(B)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment or both, under section 1001 of Title 18 of the U.S. Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon

NAME OF INVENTOR

Frank Abdulkovsk

Signature of inventor

Date

4/25/99

NAME OF INVENTOR

Signature of inventor

Date

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Signature of inventor

Date

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RETAIL SNACK FOOD PACKAGE WITH DIP IN THE BAG

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FIELD AND BACKGROUND OF THE INVENTION

The invention relates to the field of retail product package bags and in particular, to a package for containing chips such as tortilla chips, nachos and the like and including a secondary, smaller product package for containing different types of condiments that are appropriate for the snack food contained in the main product package.

Whereas there are product packages for containing two types of products separate from one another but in the same package, the invention described herein includes both chips and nacho condiments in the same package and none of the known prior art is believed to contain a package of dip or other condiments inside the package containing chips and/or other snack foods.

SUMMARY OF THE INVENTION

The invention is a combination that produces a retail product package for holding both snack chips and appropriate condiments in the same package for retail sale, display and serving. Preferably the package will contain at least one chip and/or snack product and the other product will be a condiment appropriately chosen to compliment the chip product. Preferably, the condiment package will likely be one of two industry-wide types of condiment containers: a soufflé cup type and a squeezable air tight package type (also known as a "packet").

It is an object of the invention to produce a snack package having a main package for containing the bulk of the snack food, such as tortilla chips, and also containing a smaller, separate package inside the main bag to hold an appropriate condiment.

Another object of the invention is to allow consumers the convenience of having ready to serve in the same package, several different snack foods including chips and condiments that have been pre-packaged in a ratio to one another that is appropriate for their consumption.

Another object of the invention is to provide for the storage of condiments, such as salsa, cheese, etc. in a small soufflé cup or sealed packet within a larger package containing a snack food such as chips, for greater convenience in distribution, serving and storage.

Another object of the invention is to provide for an economical ratio of snack food to condiment in order to make such a retail package more attractive for consumers to purchase snack foods because the consumer does not have to purchase a separate condiment to compliment the snack foods.

Another object of the invention is for manufacturers to affiliate different types of branded products such as condiments with a product, such as chips, that a consumer is already familiar with and so introduce consumers of snack foods to condiments that they would otherwise not be familiar with and that they might choose to purchase after they have been introduced to them.

Another object of the invention is to provide a product package that will allow producers of certain snack foods to make marketing arrangements with the manufacturers of condiments and so allow these maker an introduction to a

consumer market that is already friendly to snack chips and hence, might be receptive to a new condiment brand or variety.

Another object of the invention is to provide a retail package that is capable of displaying for retail sale and for serving complimentary types of snack foods such as corn chips and salsa.

Another objects will be apparent to those skilled in the art once the invention is shown and described.

DESCRIPTION OF DRAWINGS.

Fig. 1 overall view of main product package and a condiment container within;

Fig. 2 detail of two types of condiment containers.

DESCRIPTION OF THE PREFERRED EMBODIMENT

The retail snack food package described herein would preferably have a main package 8 containing a given amount of a snack food such as tortilla chips 6, for instance, and the package should be of an appropriate size for a given amount of chips. See fig. 1. In addition, the package would contain at least one smaller package 1 containing a condiment, such as salsa, that would be packaged inside the main package and in an unopened form. I.e. the smaller package will be sealed or otherwise made unexposed and is not be opened for use by the consumer until the main package has been opened.

As such, the condiment package need not be rigidly connected to the main bag (nor is it preferred that it be rigidly connected) but rather is a self contained unit or package that exists within the main package and may move around some within the package during the shipping and retailing process

and prior to being used by the consumer. Such movement is not believed to have any deleterious effect on the snack food within the main package, however.

Typical state of the art condiment packages are shown in fig. 2. These may be referred to as soufflé type and packet type. The soufflé type 1 typically has a relatively small cup (also shown as 1) and a removable overlay layer 2 that can be removed when one is ready to serve the condiment in the cup. Such overlay is heat sealed or otherwise sealed and results in a covering for the salsa or condiment that is fairly air and moisture impervious and thus can safely store the condiment for a long time on a store shelf.

The packet type of condiment packages are often found used to hold ketchup and the like in fast food establishments and may be described as a plastic, air tight, pouch 3 that can be ripped open along a designated line 4 (which may be pre-weakened to facilitate breaking). Similar considerations in air and moisture resistance apply to this type of package and again it will allow for the retail display of the condiments in the main package for a long time without violating the freshness of the condiment.

It is believed that the soufflé type or packet type of package illustrated in fig 2 are likely to be the preferred container for the condiment at the present time given the present day state of the art in this field. However, other types of condiment packages would very much be possible for use in the invention without violating the spirit of the invention as the actual type of condiment package should have little or no impact on the use of the main package and its function of storage of the chips or other snack foods.

By the term "chip" it is meant any retail snack foods that are cooked and made substantially out of flour or similar

carbohydrate material. Tortilla chips are merely one example of typical salty snack food that may find use in connection with the product package described herein. However, there are likely to be many types of salty snack foods including potato chips and the like that may find use with the invention. By the same token there are likely to be other, non salty snack foods, that may also find use with the invention.

The condiment and the package that it comes in should be chosen so as to be appropriate to the type of snack food in the main package. For example, bean dip, cheeses, and salsas are likely to go well with tortilla chips and these are hence, one type of snack food/condiment combination that is likely to be sold together. Obviously, other combinations such as potato chips and onion dip condiment may be used as the product types without violating the spirit of the invention.

Such snack food packages often come in one pound sizes and hold 16 oz. of chips. Other sizes, both smaller and greater are also used in the industry. Condiment packages, such as those described above, are often found in 1/2 oz. or 1 ounce sizes and such sizes of condiment package are likely to be used with a one pound package of snack chips. Other sizes of condiment packages are possible without violating the spirit of the invention.

I claim:

1. A combination package for the retail sale of snack foods, the combination comprising a large package containing a plurality of a snack food, and a smaller package, smaller than said large package and containing a condiment product that appropriate for use with said snack food, said smaller package having a sealed compartment for the storing of said snack food during the retail display process and prior to consumption of said snack food.
2. The combination of claim 1 wherein said snack food comprises: tortilla chips.
3. The combination of claim 2 wherein said condiment package comprises a cup shaped member having an opening at one end and an overlay that is in air tight connection with said cup shaped member so as to close said opening, said overlay being able to be removed by the consumer when said consumer desires to serve said condiment.
4. The combination of claim 2 wherein said condiment package comprises a rectangular packet of plastic material that is air resistant and having a means to facilitate an opening at one end of said packet in order to serve said condiment.

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ABSTRACT

A two part product package having a main package for holding a snack food such as chips and also including a smaller package for holding a condiment such as salsa in the main package. The use of the product package with a smaller, condiment package inside will be used for retail sales, display and serving of the snack food. Preferably, the condiment package will likely be one of two industry-wide types of condiment containers: a souffle cup type and a squeezable air tight package type (also known as a "packet").

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fig 1

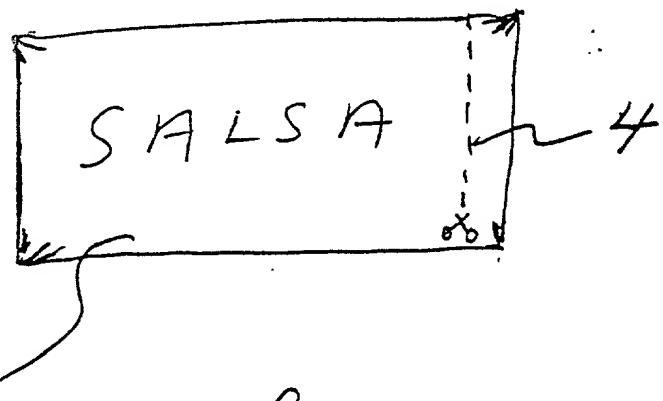
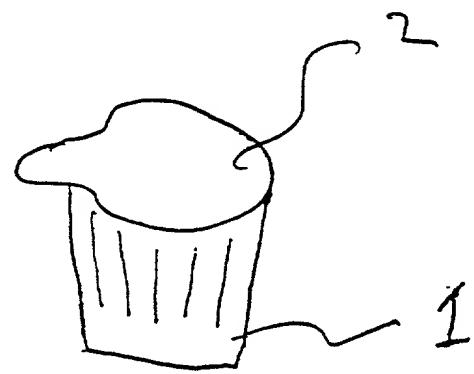
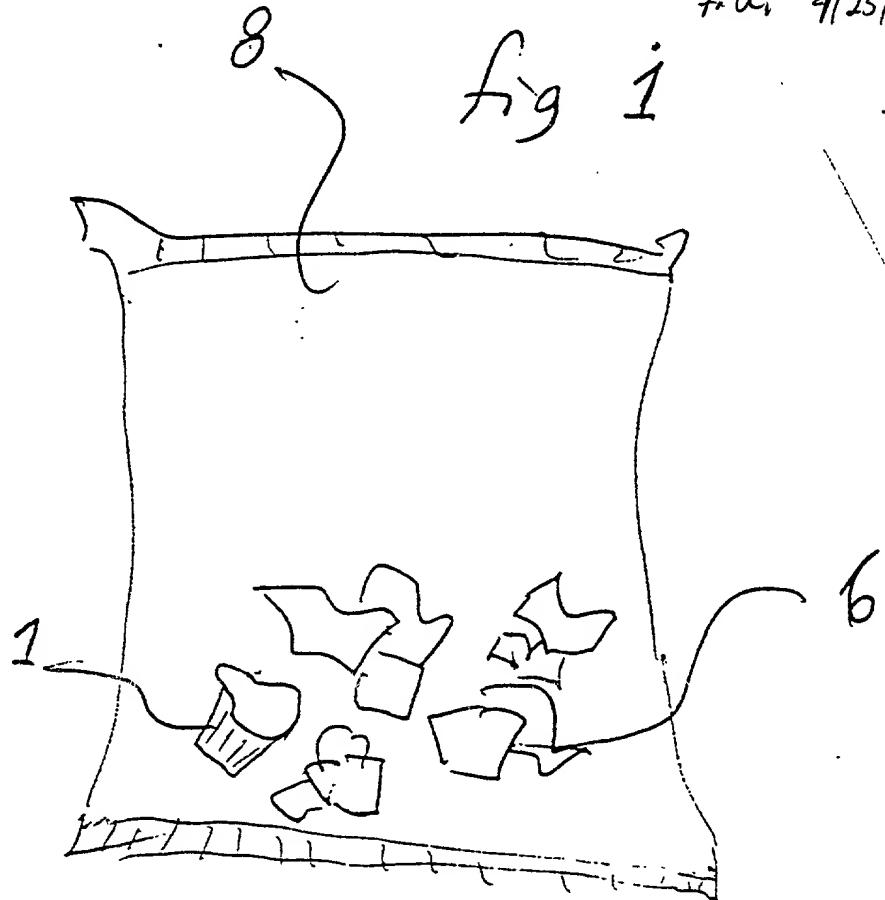


fig 2.

DECLARATION FOR PATENT APPLICATION

As below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am: *Frank Abdullovsk - Frank Abdullovsk*

the original, first and sole inventor (if only one name is listed below), or the first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

RETAIL SNACK FOOD PACKAGE WITH DIP IN THE BAG

the specification of which is attached hereto

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations. sec. 1.56(a).

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment or both, under section 1001 of Title 18 of the U.S. Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor:

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Signature Frank Abdullovski

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